

AP7 REC'D PTO 26 MAY 2006

PET

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: OKAZAKI, Tsuneko, et al.

Group Art Unit: 1645

Serial No.: 10/526,425

Examiner: Not Yet Assigned

Filed: March 3, 2005

P.T.O. Confirmation No.: 9673

For. ARTIFICIAL MAMMALIAN CHROMOSOME

**PETITION REQUESTING WITHDRAWAL OF THE HOLDING OF
ABANDONMENT UNDER 37 CFR 1.181(a)**

Director of the Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Date: May 26, 2006

Dear Sir:

Applicants hereby petition to the Director requesting withdrawal of the holding of abandonment.

In response to the Notification of Missing Requirements dated December 7, 2005, the applicant timely filed a Response to Notification of Missing Requirements on February 7, 2006, along with replacement sheets of drawings. A copy of the Response as filed on February 7, 2006, and a copy of the date-stamped postcard showing the filing are attached herewith.

Thereafter, the applicants received a Notification of Abandonment dated May 22, 2006, which incorrectly determined that the applicant had failed to respond the Notification of Missing Requirements.

Applicants hereby request reinstatement of this application which was incorrectly deemed abandoned for failure to timely reply to Notification of Missing Requirements.

Since the application is not in fact abandoned and the attached evidence shows that a proper response to the outstanding Office Action was filed, it is respectfully requested that this petition be granted.

No fee is due with this Petition because the application is not in fact abandoned.

BEST AVAILABLE COPY

In the event that any additional fees are due with respect to this paper, please charge our
Deposit Account No. 01-2340.

Respectfully submitted,



ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP
James E. Armstrong, IV
James E. Armstrong, IV
Attorney for Applicants
Reg. No. 42,266

JAM/rk
Atty. Docket No. **050126**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosure(s):

A copy of the Response to Notification of Missing Requirements on February 7, 2006; and
A copy of the date-stamped postcard showing the filing of the Response

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

In re the Application of: OKAZAKI, Tsuneko, et al.

ATTN: BOX MISSING PARTS

Serial No.: 10/526,425

Group Art Unit: 1645

Filed: March 3, 2005

P.T.O. Confirmation No.: 9673

For. ARTIFICIAL MAMMALIAN CHROMOSOME

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 7, 2006

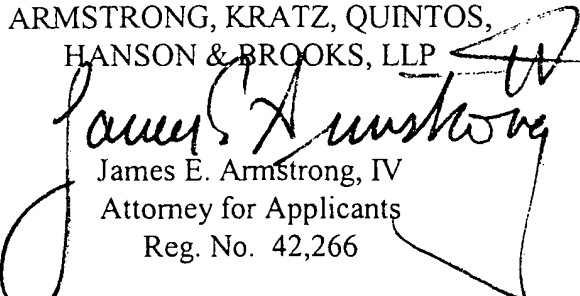
Dear Sir:

In response to the Notification of Missing Requirements dated **December 7, 2005** enclosed for filing in the above-identified patent application, are 19 Sheets of Replacement Drawings, Figures (1-19). It is respectfully submitted that the replacement drawings add no new matter.

In the event that any additional fees are due with this paper, please charge Deposit Account No. 01-2340. In the event that this response is not timely filed, the applicants hereby petition for an appropriate extension of time. The fees for any such extension may be charged to our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP


James E. Armstrong, IV
Attorney for Applicants
Reg. No. 42,266

JAM/rmp
Atty. Docket No. 050126
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosures: Notification; Replacement Drawings, 19 Sheets, Figures (1-19)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,425	Tsuneko Okazaki	050126

INTERNATIONAL APPLICATION NO.

PCT/JP03/11134

I.A. FILING DATE	PRIORITY DATE
09/01/2003	09/03/2002

23850
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP
1725 K STREET, NW
SUITE 1000
WASHINGTON, DC 20006

CONFIRMATION NO. 9673

371 FORMALITIES LETTER



OC000000017586870

Date Mailed: 12/07/2005

DUE: FEBRUARY 7, 2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/03/2005
- English Translation of the IA filed on 03/03/2005
- Copy of the International Search Report filed on 03/03/2005
- Copy of IPE Report filed on 03/03/2005
- Preliminary Amendments filed on 03/03/2005
- Information Disclosure Statements filed on 03/03/2005
- Biochemical Sequence Diskette filed on 03/03/2005
- Oath or Declaration filed on 03/03/2005
- Biochemical Sequence Listing filed on 03/03/2005
- Request for Immediate Examination filed on 03/03/2005
- U.S. Basic National Fees filed on 03/03/2005
- Assignment filed on 03/03/2005
- Priority Documents filed on 03/03/2005

Of Requirement Need
Priority 9-3-02
20 months
30 months 3-3-05
32 months 5-3-05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
 - The text in the drawings has not been properly translated.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

DOCKETED	FILE
12/9/05	

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,425	PCT/JP03/11134	050126

P0203102

1/19

Fig.1

Input BACs	BS ^r cell lines inspected	Alphoid and BAC signals on		HAC with GCH1
		HAC	Chromosome Non	
CMV/ α 100 BAC +GCH1-BAC	16	1	4	11
SV/ α 50 BAC +GCH1-BAC	17	3	13	1

1 (HT/GCH2-10)

1 (HT/GCH5-18)

P0203102

2/19

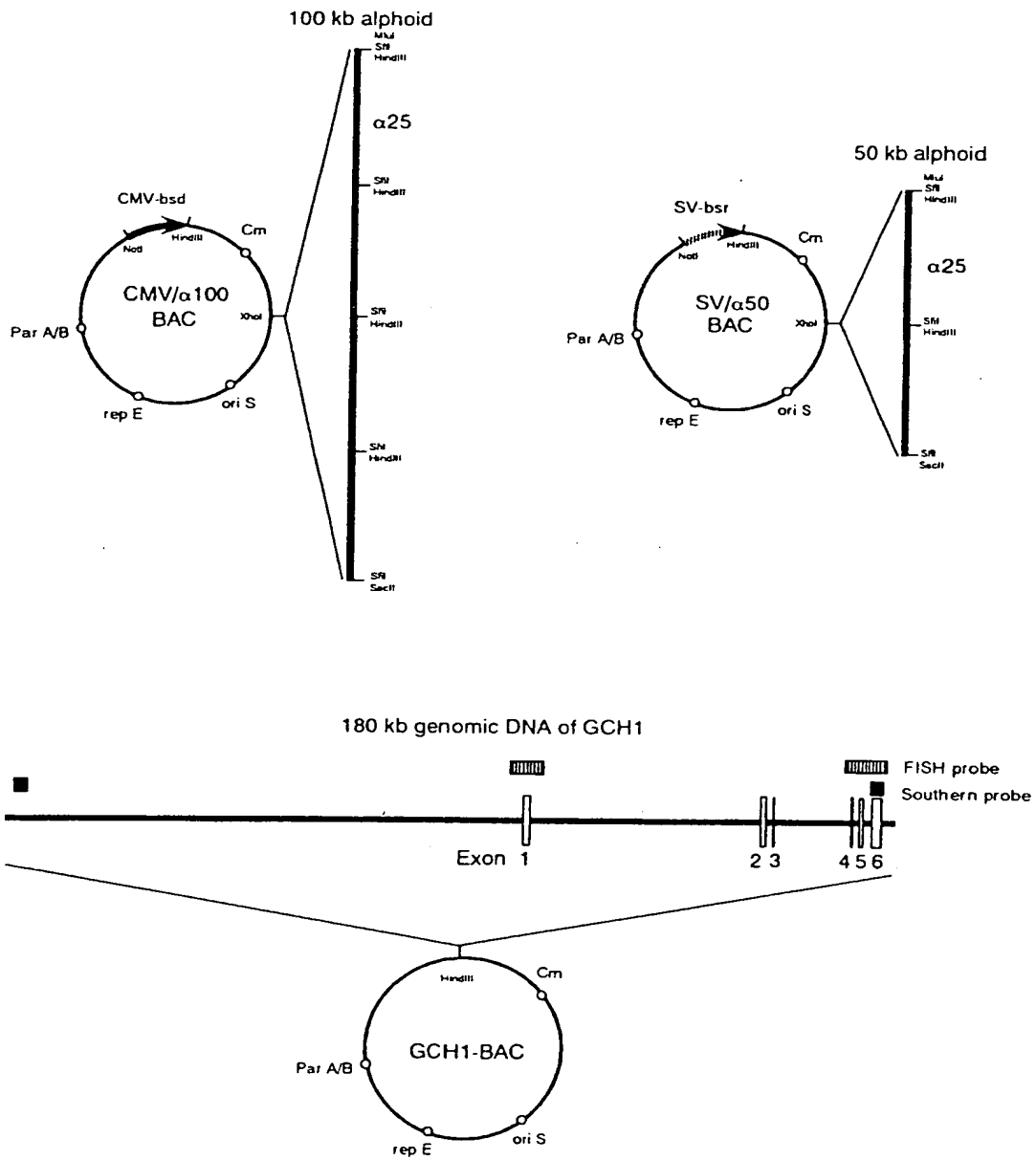
Fig.2

Cell lines	GCH1 activity (pmol/h/mg protein)		Ratio of increase
	- IFN	+ IFN	
HT1080	0.05 ± 0.02	0.76 ± 0.03	15
HT/GCH2-10	0.16 ± 0.02	5.0 ± 0.2	31
HT/GCH5-18	3.4 ± 0.2	16.5 ± 0.6	4.8

P0203102

3/19

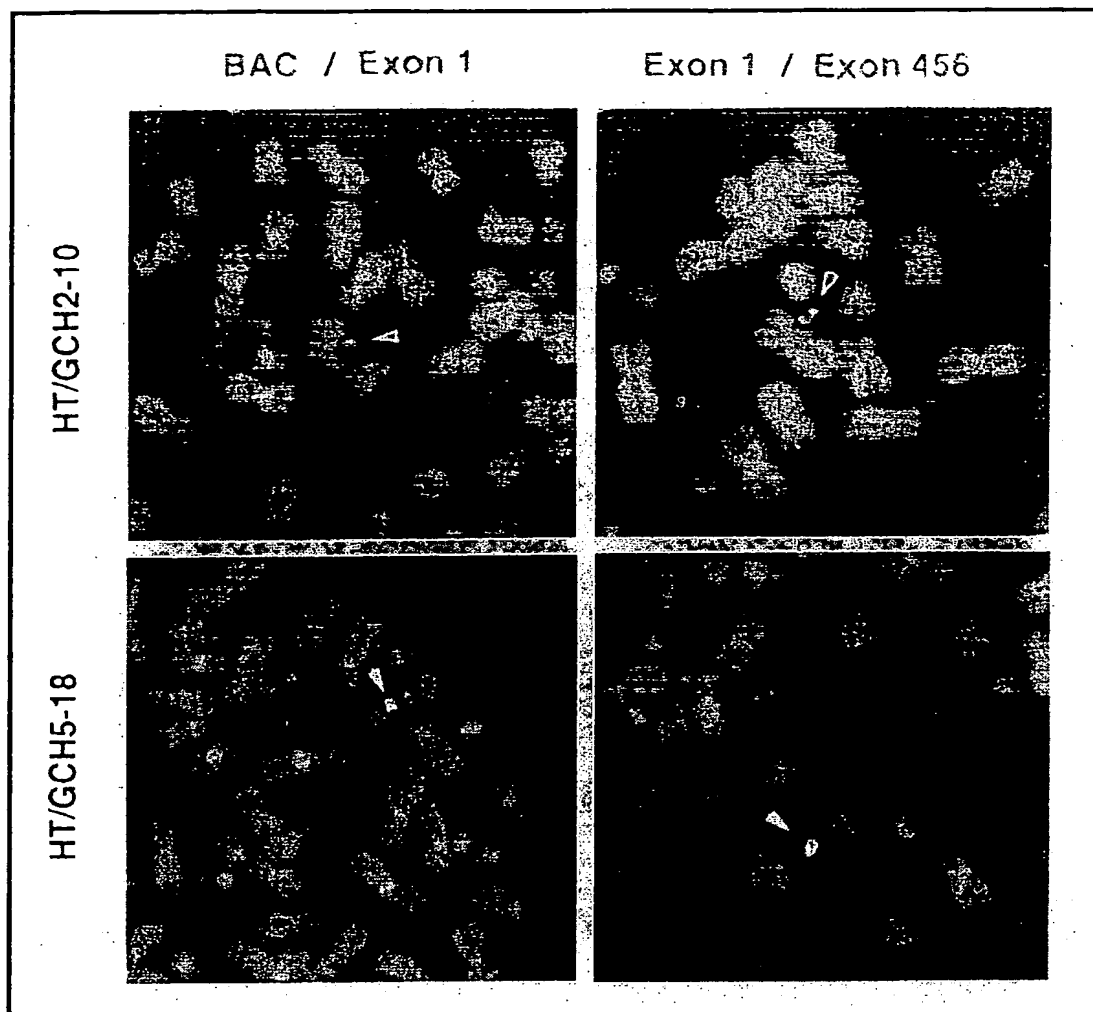
Fig.3



P0203102

4/19

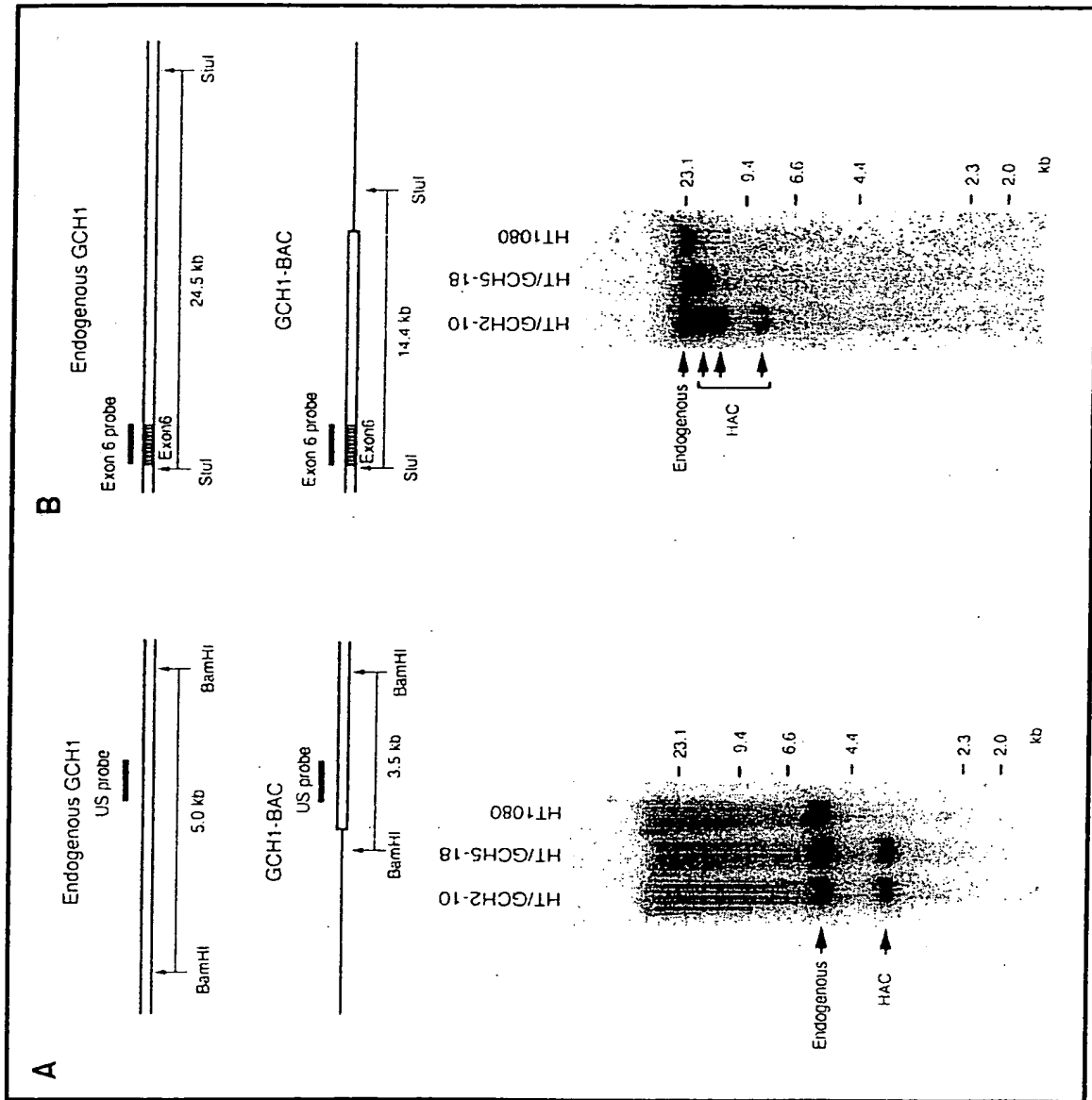
Fig.4



P0203102

5/19

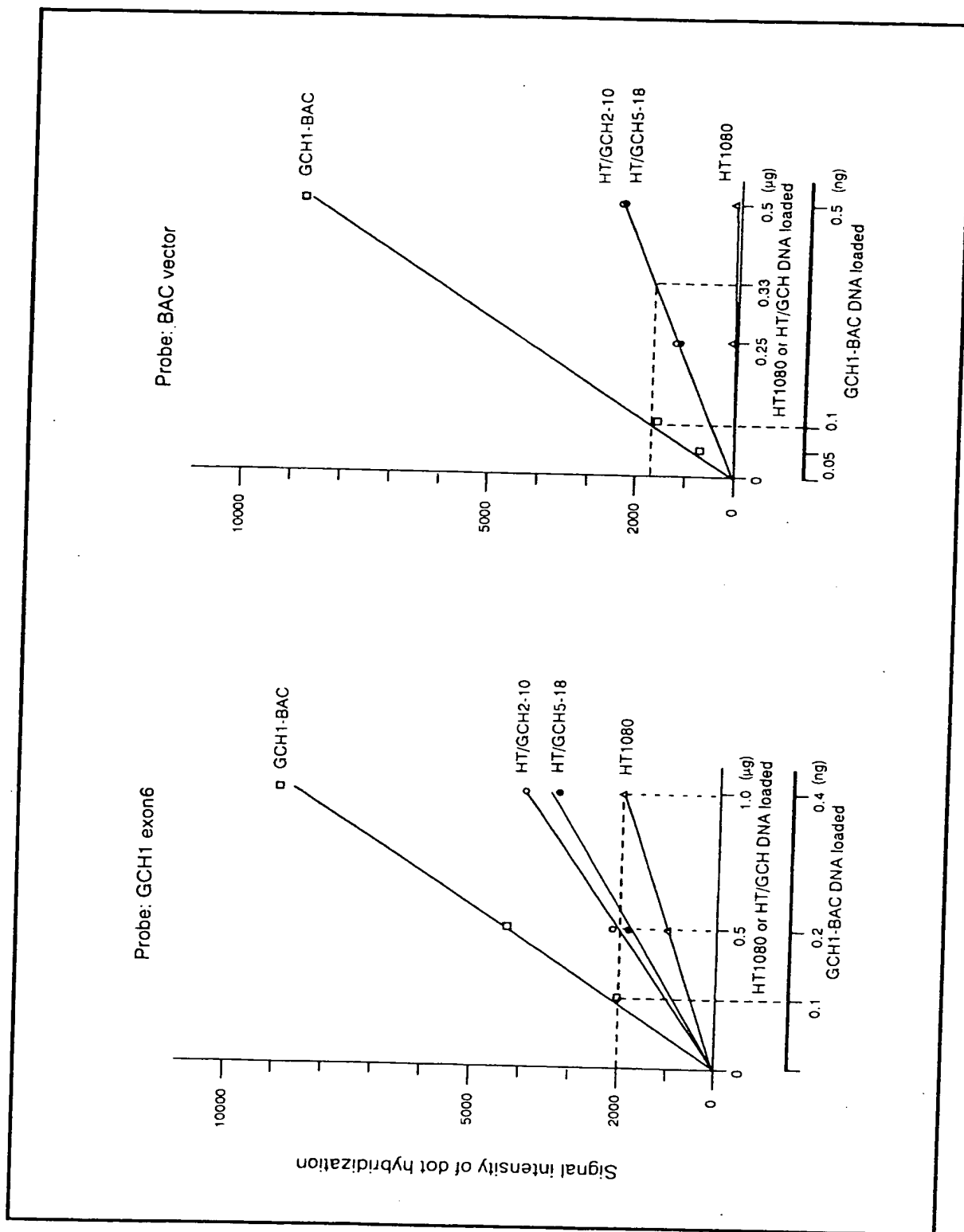
Fig.5



P0203102

6/19

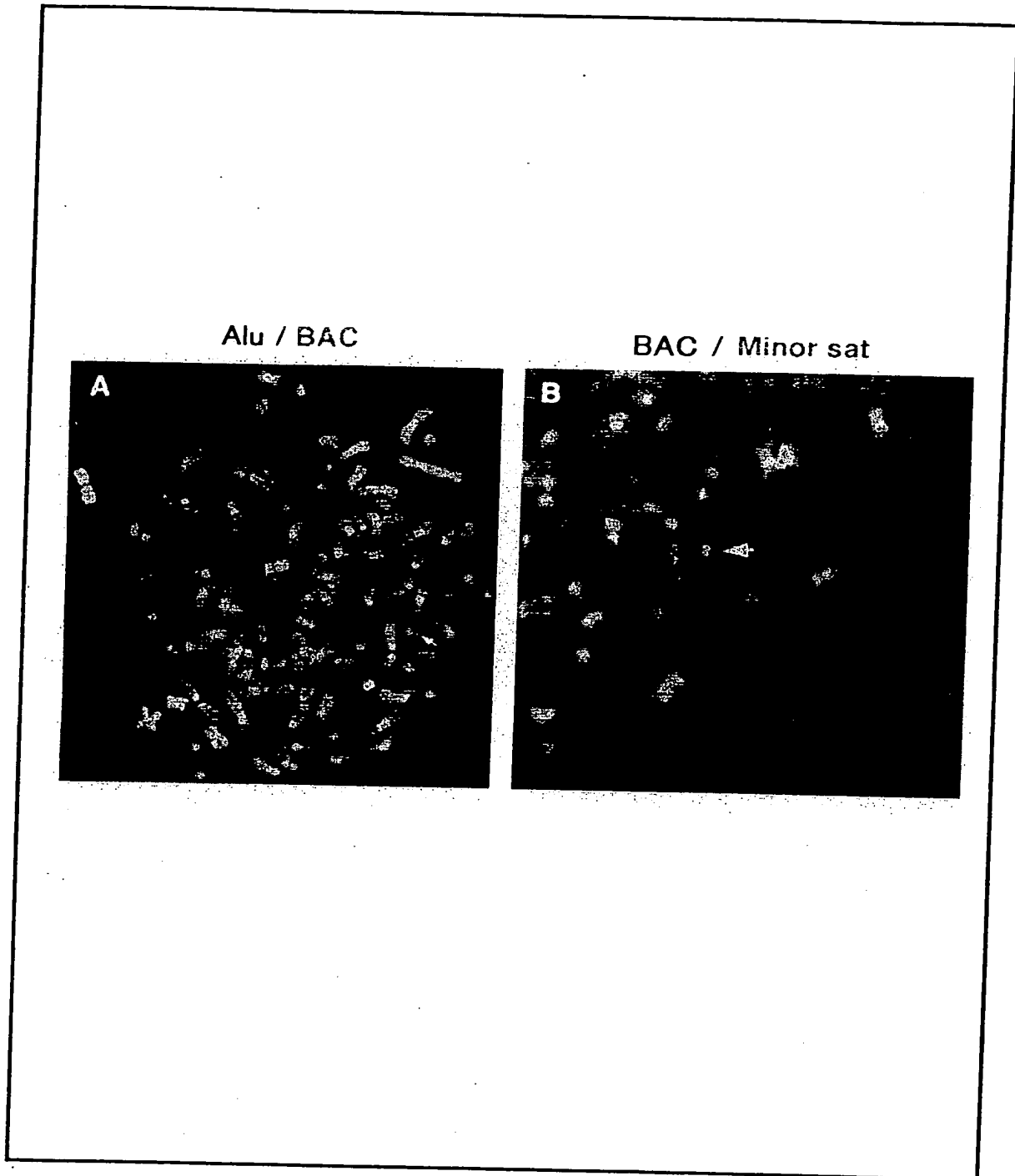
Fig.6



P0203102

7/19

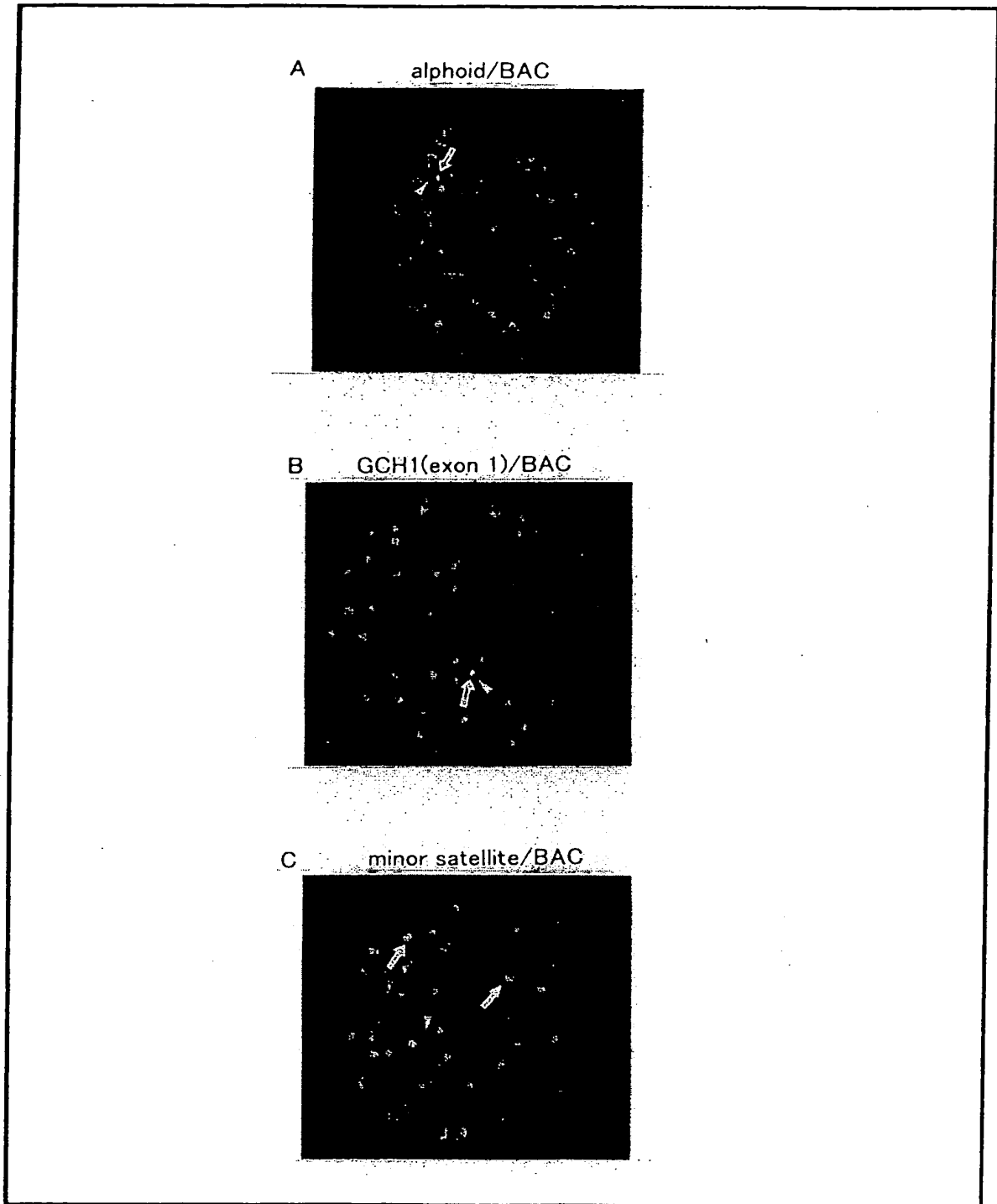
Fig.7



P0203102

8/19

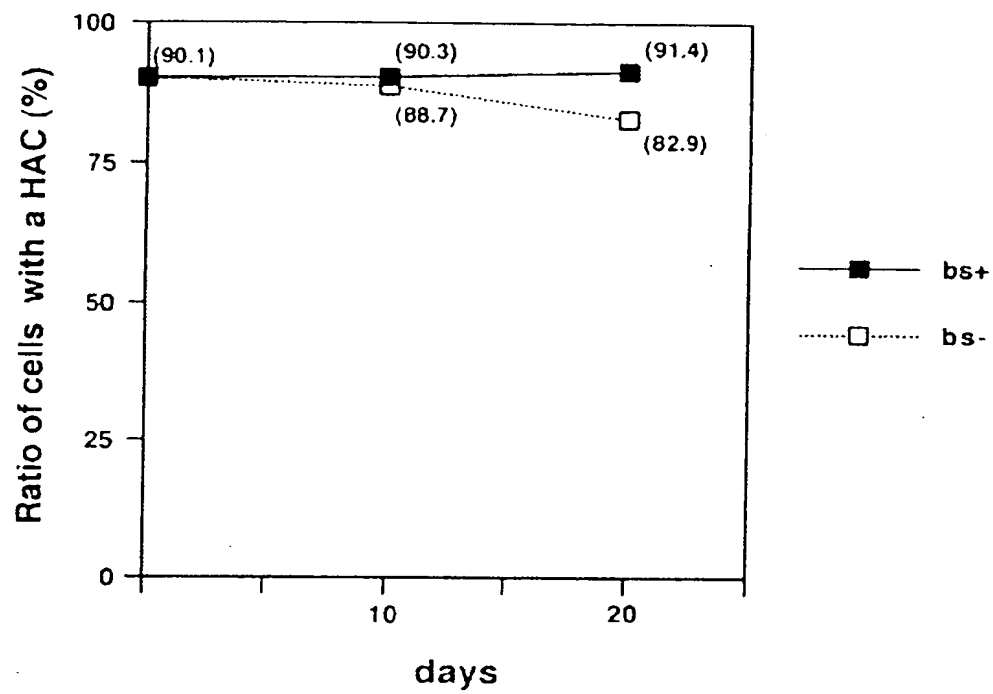
Fig.8



P0203102

9/19

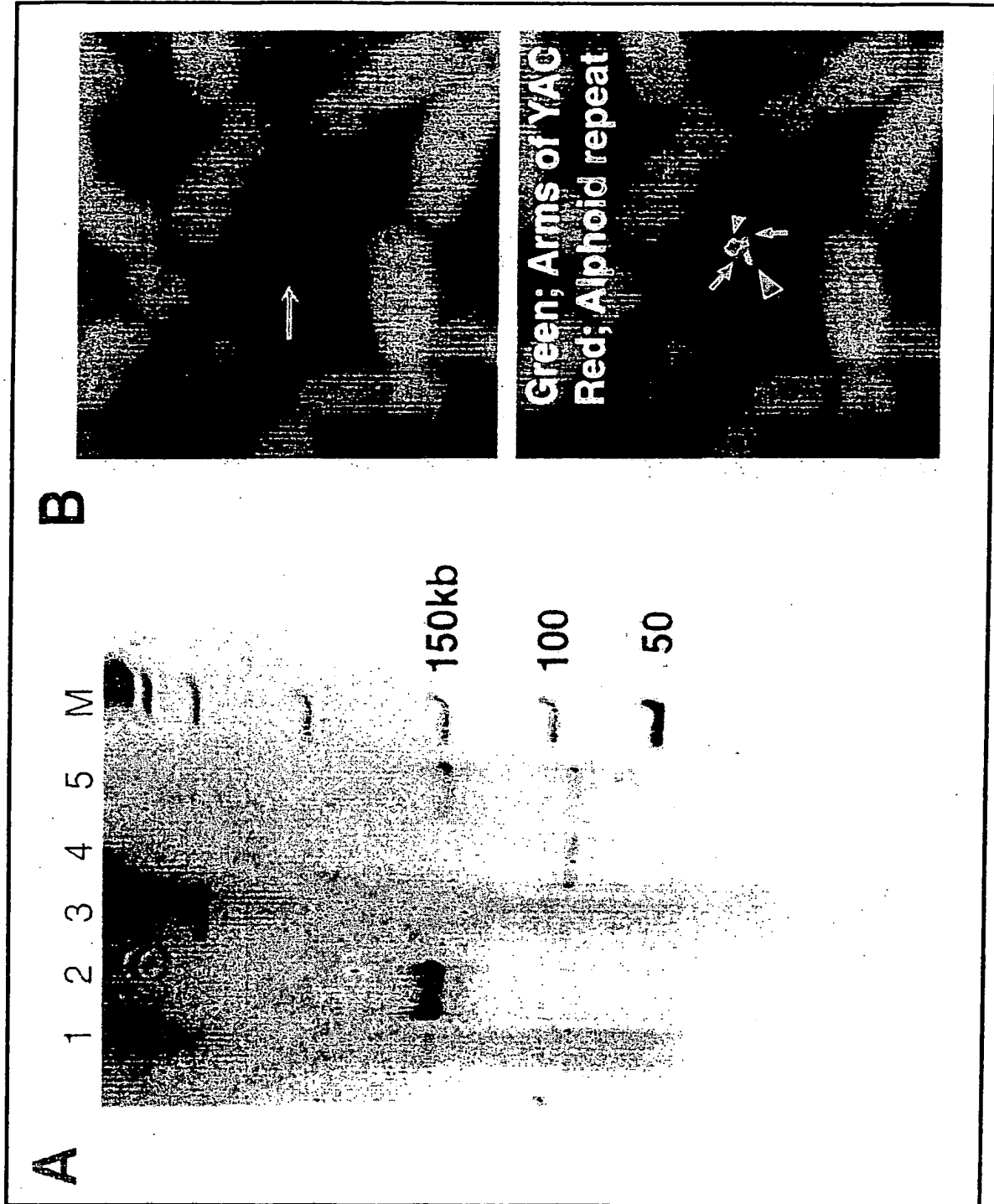
Fig.9



P0203102

10/19

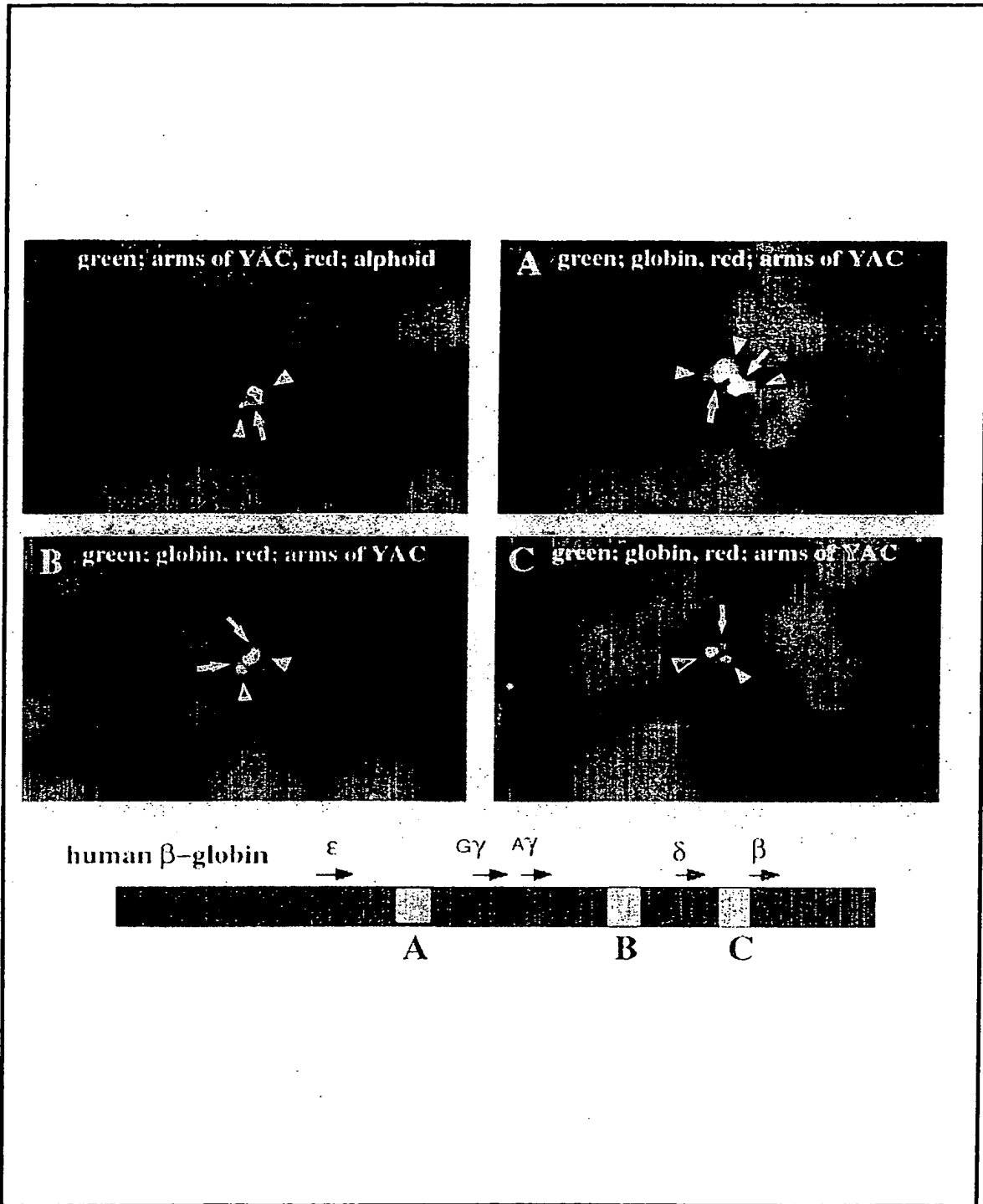
Fig.10



P0203102

11/19

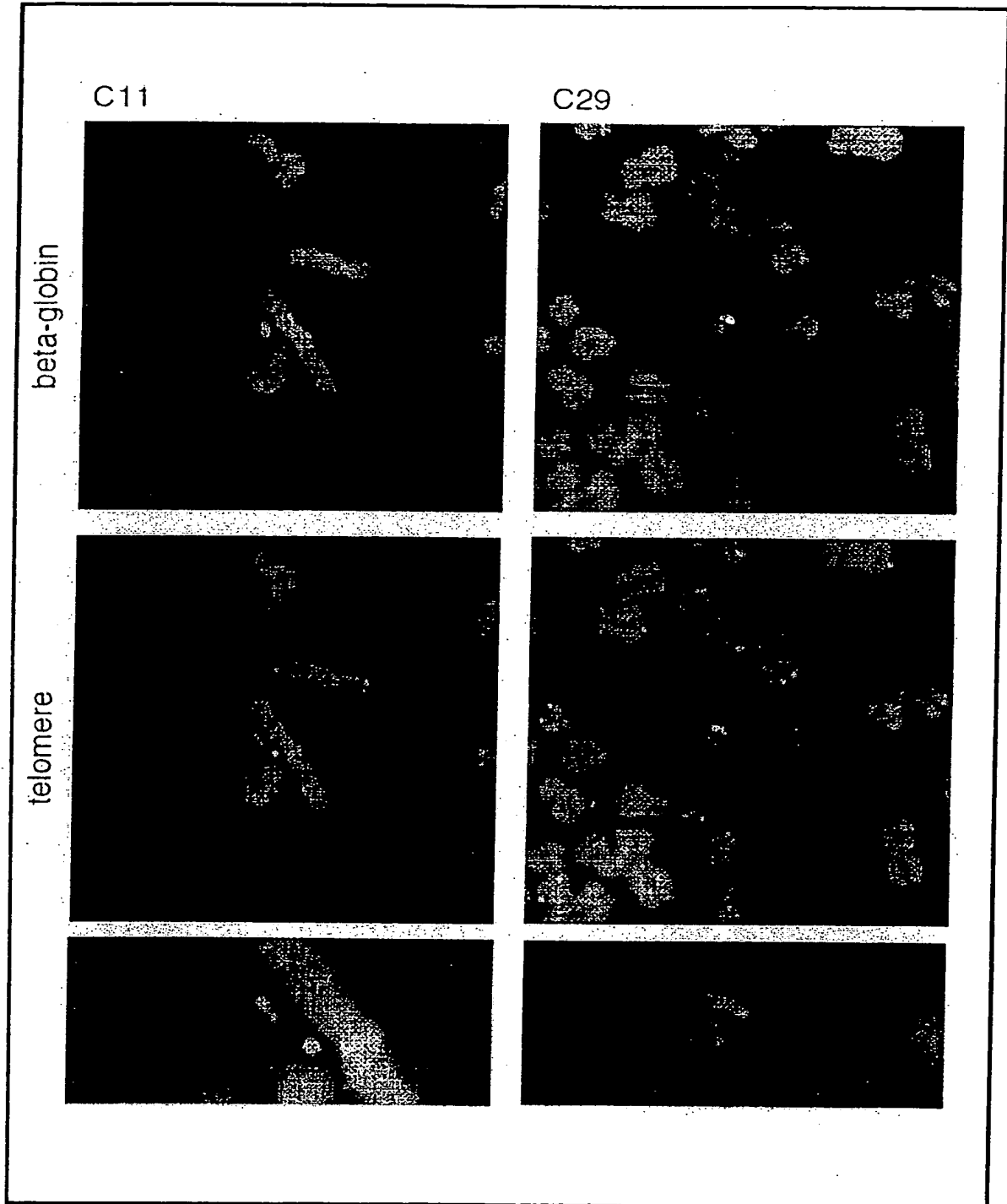
Fig.11



P0203102

12/19

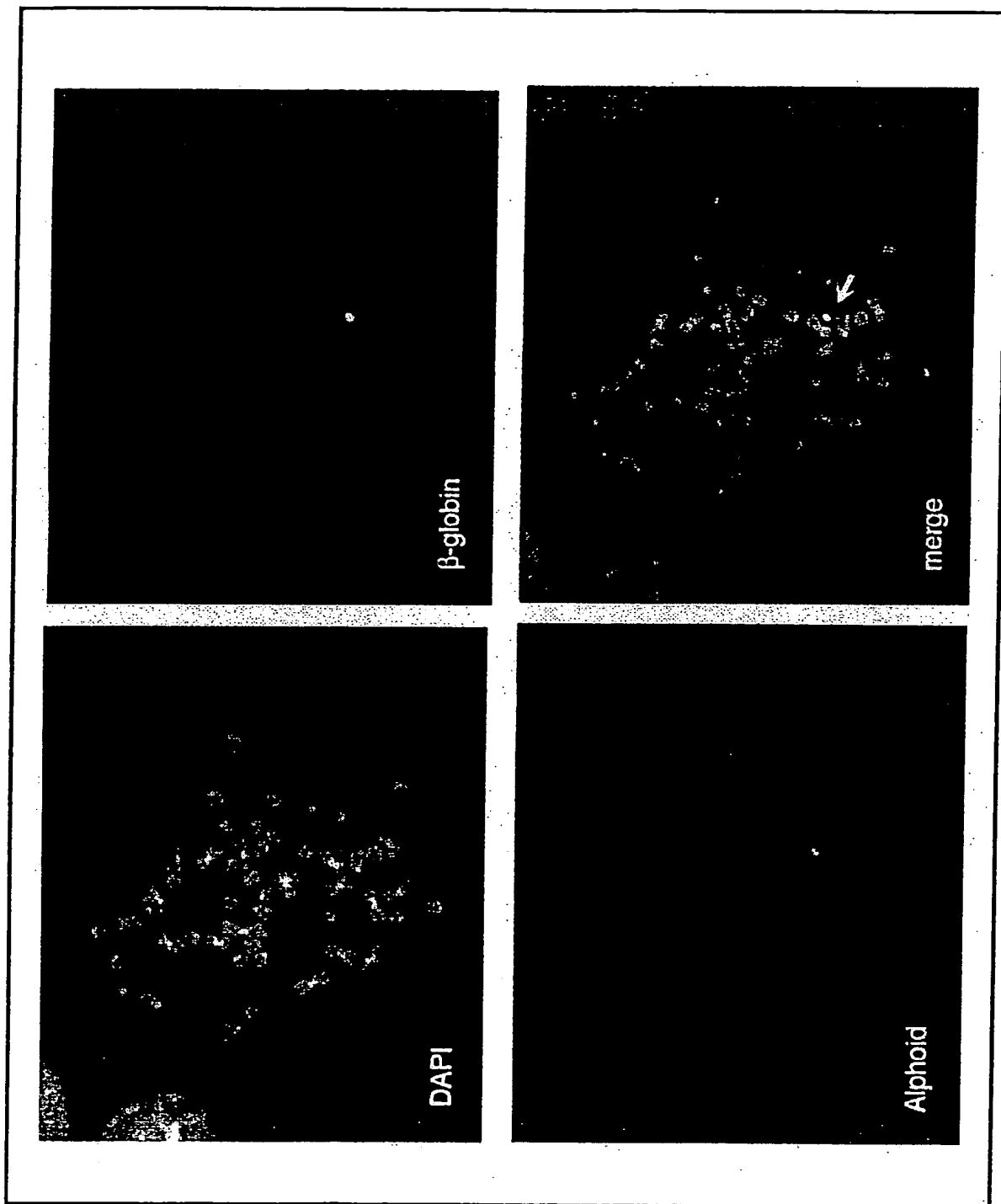
Fig.12



P0203102

13/19

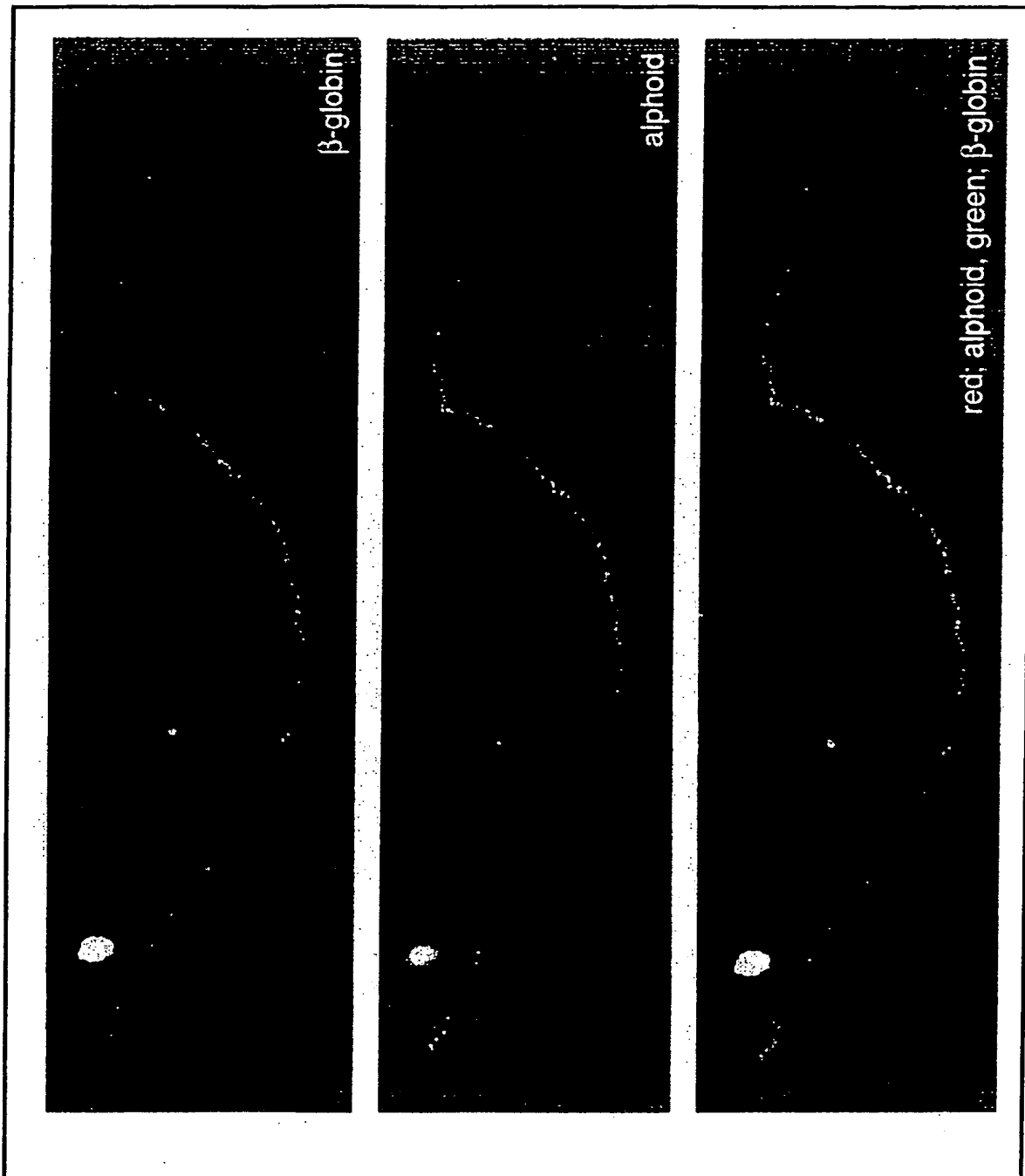
Fig.13



P0203102

14/19

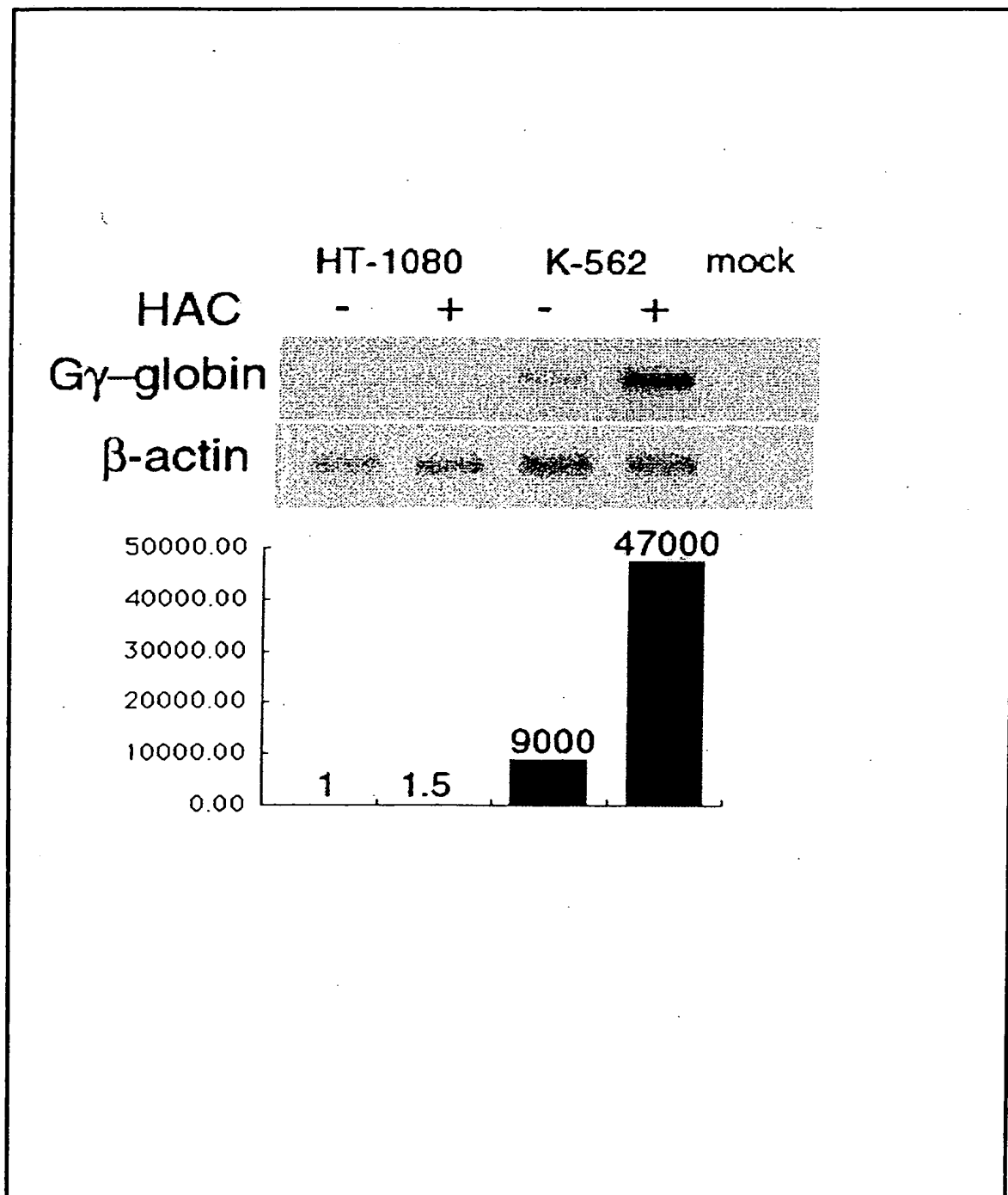
Fig.14



P0203102

15/19

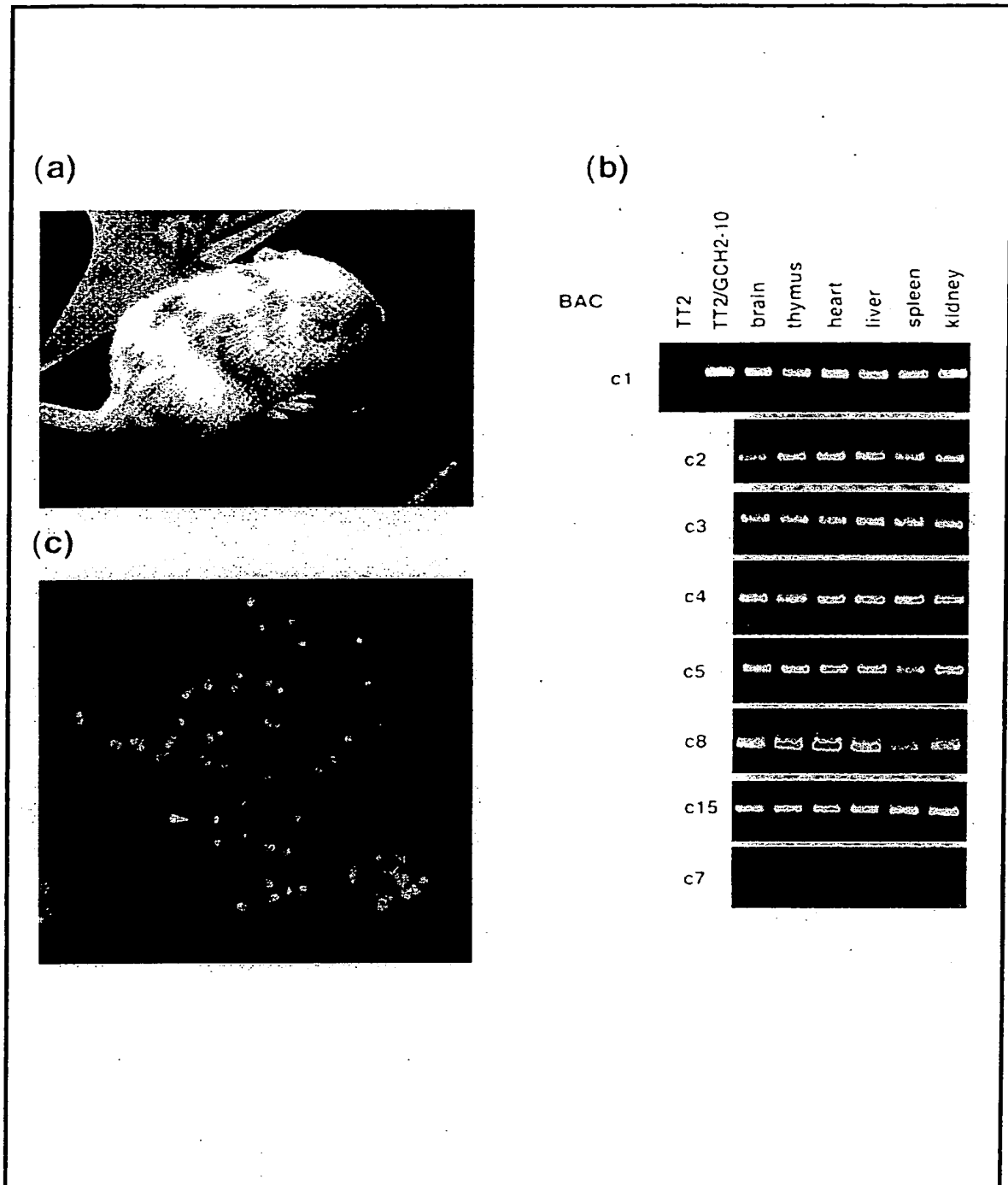
Fig.15



P0203102

16/19

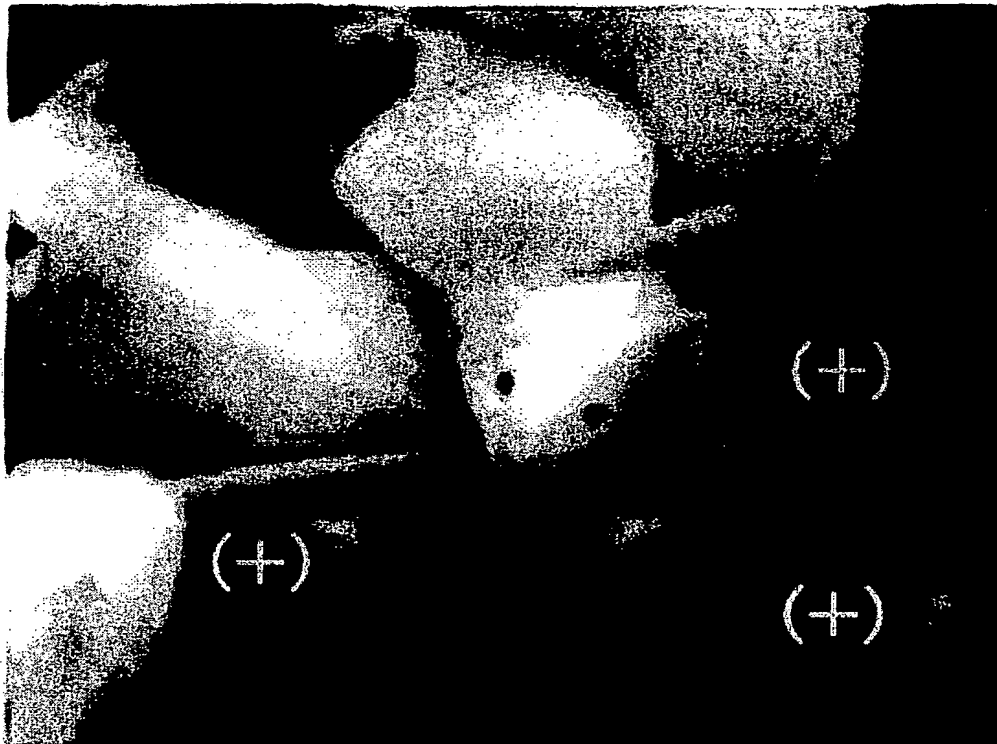
Fig.16



P0203102

17/19

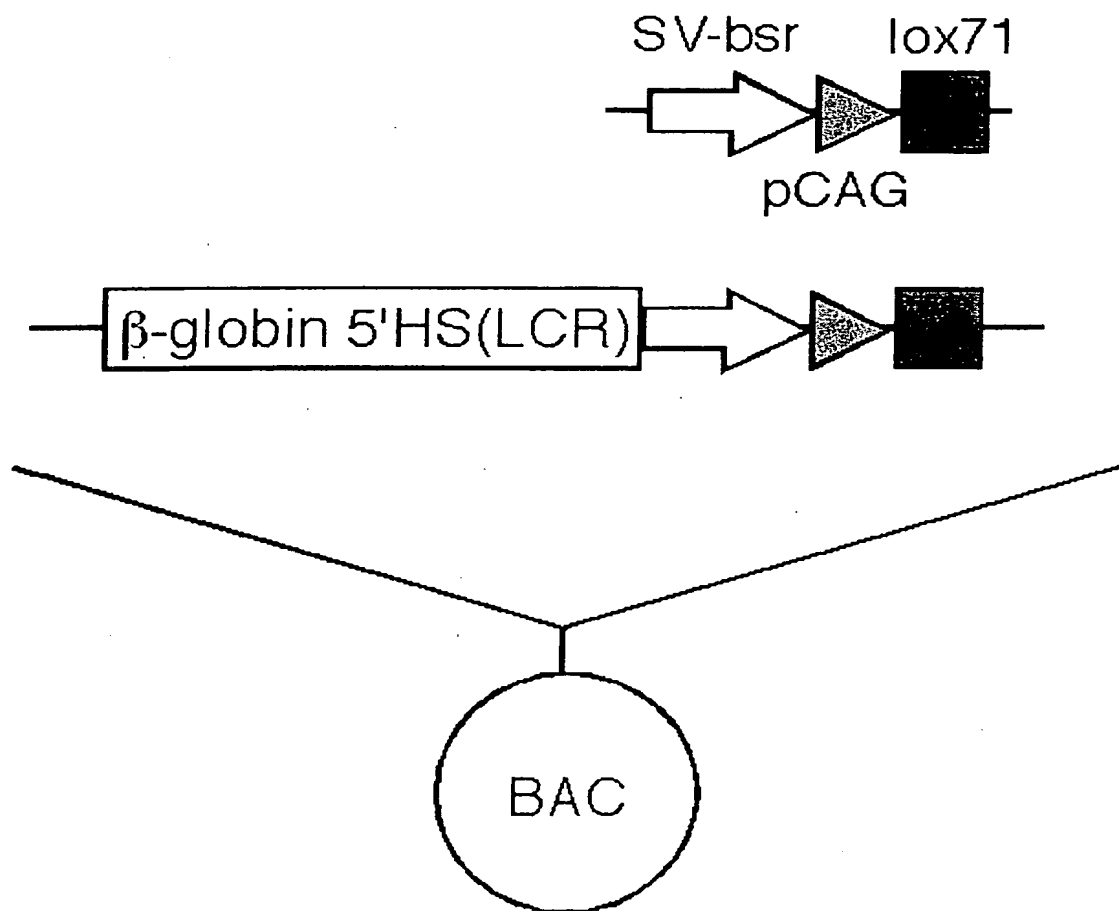
Fig.17



P0203102

18/19

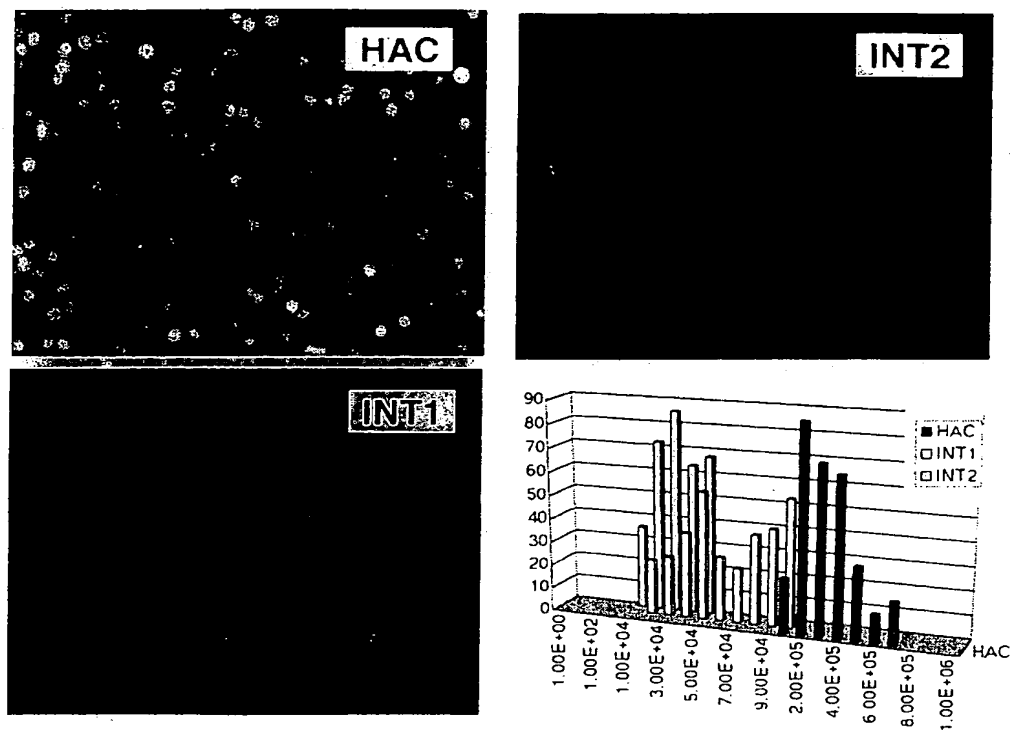
Fig.18



P0203102

19/19

Fig.19



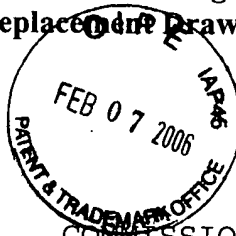
COPY

CARD NO: 18370

U.S. Patent Application Docket No: 050126
Serial No: 10/526,425 Filed: 03/03/05
Patent Number: Issued:
Applicant(s): OKAZAKI, Tsuneko, et al.

Papers filed herewith on: 02/07/06

**Other: Response to Notification of Missing Requirements; w/
Notification and Replacement Drawings, 19 Sheets,
Figures (1-19).**



COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated
in connection with the above-identified case.

JAM/RMP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,425	Tsuneko Okazaki	050126

INTERNATIONAL APPLICATION NO.	
PCT/JP03/11134	
I.A. FILING DATE	PRIORITY DATE
09/01/2003	09/03/2002

23850
 ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP
 1725 K STREET, NW
 SUITE 1000
 WASHINGTON, DC 20006

CONFIRMATION NO. 9673

**371
 ABANDONMENT/TERMINATION
 LETTER**



OC000000018890466

Date Mailed: 05/22/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 12/07/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,425	Tsuneko Okazaki	050126

INTERNATIONAL APPLICATION NO.

PCT/JP03/11134

I.A. FILING DATE

PRIORITY DATE

09/01/2003

09/03/2002

23850

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP
 1725 K STREET, NW
 SUITE 1000
 WASHINGTON, DC 20006

CONFIRMATION NO. 9673

371

ABANDONMENT/TERMINATION
 LETTER



OC000000018890466

Date Mailed: 05/22/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 12/07/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☒ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☒ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☒ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.